

1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 EASTERN DISTRICT OF TENNESSEE

3 HANNAH ASHBROOK,

4 Plaintiff,

5 vs.

Docket No. 1:24-cv-00165-CLC-SKL
JURY DEMAND

6 MEIGS COUNTY, TENNESSEE, et al.,

7 Defendants.
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12 Deposition of:

13 BENJAMIN CHRISTIAN

14 Taken on behalf of the Plaintiff
15 November 8, 2024

16 Commencing at 9:00 a.m.
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21

22 LEXITAS

23 www.LexitasLegal.com

24 MELISSA M. SMITH, RPR, LCR, CCR

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25

1 that correct?

2 **A. That's correct.**

3 Q. So is it accurate that neither one of them
4 was in custody at that point?

5 **A. Yes.**

6 Q. I see you talk to Ms. Ashbrook at
7 11:05:55.

8 **A. Yes.**

9 Q. Have any recollection of what you were
10 talking about?

11 **A. Yes. I went in the courtroom, and**
12 **I believe that's when the judge had asked if she**
13 **had taken a drug test or said she needed to take**
14 **a drug test, and I went and asked her if she**
15 **would being willing to take a drug test.**

16 Q. What did she say?

17 **A. She said she would.**

18 Q. Okay. Who had asked you to have her take
19 a drug test?

20 **A. The judge.**

21 Q. When did you talk with the judge?

22 **A. When I had went wherever -- I had went**
23 **that way.**

24 Q. Okay. So let's look at this.

25 Is this you?

1 this point?

2 **A. I don't recall exactly when I was told**
3 **that the Court wanted him to take a drug test.**
4 **It's hard to --**

5 Q. Well, might that explain why he has a big
6 gulp drink in the courtroom.

7 Is this you?

8 **A. Yes.**

9 Q. Okay. So they get on the elevator, and
10 you go with them?

11 **A. Right.**

12 Q. Do you know where you were going?

13 **A. I don't recall where we would have...**

14 Q. If they indicated they asked for
15 permission to go out and smoke, would that change
16 your recollection any?

17 **A. I do believe I remember they were -- they**
18 **had been -- yes, they had been ordered to take a**
19 **drug test.**

20 Q. You think they had both been ordered at
21 that point?

22 **A. Just him.**

23 Q. Just him?

24 **A. Yes. Sorry.**

25 **And while they were waiting they were --**

1 Q. Do you see Ms. Ashbrook reenter the scene
2 at 9:43:49?

3 **A. Yes.**

4 Q. Again, outside the courtroom?

5 **A. Yes.**

6 Q. All right. Now, at 9:45:00, are they
7 again still sitting outside the courtroom?

8 **A. Yes.**

9 Q. Have you seen anything that would lead you
10 to conclude they were in custody at this point?

11 **A. No.**

12 Q. All right. 9:45:20, does Ms. Ashbrook
13 enter the courtroom?

14 **A. Yes.**

15 Q. And is -- what's Mr. Kelsey doing?

16 **A. He just stood up out of that chair.**

17 Q. Does he enter the courtroom?

18 **A. No.**

19 Q. 9:47:29. Does Officer Fugate exit the
20 courtroom?

21 **A. Yes.**

22 Q. Any sense of what he's doing?

23 **A. Standing in front of the courtroom doors.**

24 Q. He goes back into the courtroom at
25 9:48:00?

1 **A. No.**

2 Q. At this point you had been down to the
3 parking lot or outside the courthouse with
4 Ms. Ashbrook?

5 **A. Yes.**

6 Q. Did you have probable cause to arrest her
7 for public intoxication during that visit?

8 **A. Not at that point, no.**

9 Q. So you didn't see her engage in any
10 behavior that suggested to you she was
11 intoxicated?

12 **A. No.**

13 **When we had went outside, me and Kelsey**
14 **had stood on the landing or whatever, the raised**
15 **area outside the courthouse, patio-type area,**
16 **while he smoked. And she had went wherever she**
17 **had went, to the vehicle or...**

18 Q. You had ridden the elevator down with her,
19 right?

20 **A. Yes.**

21 Q. Walked in the hallway with her?

22 **A. Yes.**

23 Q. Came back up to the courthouse with her?

24 **A. Yes.**

25 Q. And so during those encounters you didn't